REMARKS

The Office examined claims 1-10 and rejected same. This paper makes a clarifying change (the same change) to both claims 8 and 9, clarifies claims 1 and 5 to make express that the recited steps or means are those of a user equipment (UE) device as opposed to a component of a radio access network or a core network of a wireless communication network, and adds two new claims (11 and 12). The claims are otherwise unchanged, and so claims 1-12 are pending.

Claim Rejections under 35 USC §102

At section 3 of the final Office action, claims 1 and 5 are rejected under 35 USC §102(b) as being anticipated by Josse *et al.* (U.S. 6,104,929).

Both claims are now changed to make express that they are claims to steps or means of a UE device, i.e. e.g. a cell phone, and are of use in responding to a message from a network indicating a change in a service access point identifier (SAPI) connection from an old SAPI to a new SAPI. Both claims include as a limitation the UE device setting a timer (or having means for same) for a period of time in response to an indication from the network of a change from the old SAPI to the new SAPI.

In rejecting claims 1 and 5, the Office cites Josse at Figs. 3-3A, 4-4A, col. 3, ll. 24-40, for disclosing a UE device receiving from the network an indication of a change from the old SAPI to the new SAPI, and cites col. 12, ll. 35-45, and col. 13, ll. 17-20 for disclosing setting a timer for a period of time.

Applicant respectfully submits that both claims 1 and 5 recite not that the UE device receives and indication of a change in SAPI *and also* sets a timer, but that the UE device sets a timer *in response* to an indication of a change in SAPI.

As mentioned in the response to the previous Office action, the citation in Josse relied on for setting a timer (col. 12, lines 35-45) discloses only an old SGSN 24_1 (not a UE device, referred to as a mobile station (MS) 40 in Josse) starting a timer, in an inter SGSN Routing Area Update Scenario (illustrated in Fig. 4 generally, and in more detail in Fig. 4A, with the timer being set in step 4-2 shown in Fig. 4). Applicant respectfully submits that Josse clearly shows in Fig. 4 and discloses in the accompanying description the old SGSN (not a mobile station) setting a timer (as part of step 4-2b of Fig. 4A) in response to receiving a SGSN Context Request (in step 4-2a of Fig. 4A). Thus, even assuming, *arguendo*, that an SGSN Context Request is analogous to an indication of a change in SAPI as recited in claims 1 and 5, it is not the mobile that receives the SGSN Context Request, and it is not the mobile that sets a timer, let alone in response to the SGSN Context Request.

In the "Response to Arguments" at page 8 of the Office action, it is asserted that Josse teaches a mobile station setting a timer, referring to Fig. 5A. But all that is shown in Fig. 5A is a functional mobility management state model of a mobile station, indicating the mobile station setting a timer to determine when to enter IDLE mode from STANDBY, or when to enter STANDBY mode from READY mode. There is no teaching or suggestion of a mobile setting a timer in response to an indication from a network of a change in SAPI.

Accordingly, applicant respectfully requests that the rejections under 35 USC §102 of claims 1 and 5 be reconsidered and withdrawn.

Claim Rejections under 35 USC §103

At paragraph 5 of the Office action, claims 1-10 are rejected under 35 USC §103(a) as being unpatentable over Suumäki *et al.* (US 6,590,905).

The (only) independent claims are 1, 5, 8 and 9.

Regarding claims 1 and 5, applicant respectfully submits that the timer disclosed in Suumäki is not set by a UE for a period of time in response to--i.e. triggered by, or caused by receiving--an indication from a network of a change from an old SAPI to a new SAPI, as recited in claims 1 and 5. Suumäki discloses an originator (which could be either a mobile or the network side) of an XID/PDCP negotiation (the entity that sends a request for XID/PCDP parameters) setting a "retransmission timer" in a step 404 (col. 6, line 7), and also discloses a receiver (of the request) setting a "negotiation timer" in a step 506 (col. 6, line 15) after replying (with negotiated parameters) to the request from the originator. Even assuming, *arguendo*, that the request for an XID/PDCP negotiation of Suumäki is in any way the same as the indication of a change from an old SAPI to a new SAPI recited in claims 1 and 5, Suumäki would have to teach that the receiver sets (starts) a timer upon receiving such a request, not when replying. But applicant respectfully further submits that Suumäki's request for an XID/PDCP negotiation is not in any way the same as the indication of a change from an old SAPI to a new SAPI recited in claims 1 and 5, because--as explained in the application at e.g. the paragraph beginning at the bottom of page 11--it is a PDP CONTEXT MODIFY REQUEST that indicates a change from an old SAPI to a new SAPI, not an XID negotiation (which follows such a request, as explained in the paragraph beginning page 12, line 22).

Regarding claims 8 and 9, both recite a network continuing to *provide messages* for an *old SAPI* after providing to a UE device a request to change to a new SAPI and *also providing the messages* for the *new SAPI*, i.e. the same messages as for the old SAPI, as clarified by the current amendment. The Office action cites Suumäki at col. 6, ll. 27-38, and col. 9, ll. 19-23, and refers to Figs. 8-12 for such disclosure.

In the reference to col. 9, ll. 19-23 (claim 8), the Office relies on Suumäki for disclosing (from claim 6) a receiver using old parameters for (receiving) incoming packets without a modified change indicator and using new parameters for (receiving) incoming packets with a modified change indicator until a negotiation timer expires. This is not the same as *providing* the *same* messages on *both* an old SAPI and a new SAPI, as in (amended) claims 8 and 9, even assuming *arguendo*, that the old packets of Suumäki are transmitted on an old SAPI and the new packets of Suumäki are transmitted on a new SAPI. Note in particular that in referenced Figs. 8-11, Suumäki discloses only which parameters (new or old) to use in *receiving a packet*, which is not relevant to the issue at hand, and discloses always <u>sending new packets</u> after a response is received using <u>only</u> the new parameters. The description at col. 6, ll. 27-38, confirms this interpretation of Figs. 8-11. (Fig. 12 is merely a block diagram, and the corresponding description at col. 7, line 46, to col. 8, line 11, relies on Figs. 8-11 and the corresponding description for those figures in order to fully explain the functionality indicated by the blocks of the diagram. See col. 8, ll. 8-9.)

Accordingly, applicant respectfully requests that the rejections under 35 USC §103 of claims 1, 5, 8 and 9 be reconsidered and withdrawn, and that the rejections of the other claims under 35 USC §103 also be reconsidered and withdrawn in view of their dependencies.

<u>New Claims</u>

New claim 11 recites as a further limitation, even more particularly distinguishing the invention from the teachings of Suumäki and Josse, that a timer is set in response to receiving a PDP CONTEXT MODIFY REQUEST, which is well-known as differing from XID/PDCP messaging.

New claim 12, which depends from claim 11, further recites that the timer is actually set by the SNDCP layer of the UE device, in response to an SNSM MODIFY REQUEST from the SNDCP layer of the UE device. Neither Suumäki nor Josse provide such a teaching or suggestion.

Support for the new claims is at page 11, line 30, to page 12, line 17.
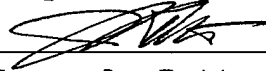
Conclusion

For all the foregoing reasons it is believed that all of the claims of the application are now in condition for allowance, and their passage to issue is earnestly solicited.

Respectfully submitted,

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